United Nations A/53/636

General Assembly

Distr.: General
27 November 1998

Original: English

Fifty-third session
Agenda item 155

Measures to eliminate international terrorism

Report of the Sixth Committee

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I. Introduction

1. The item entitled "Measures to eliminate international terrorism" was included in the agenda of the fifty-third session of the General Assembly pursuant to Assembly resolution 52/165 of 15 December 1997.

2. At its 3rd plenary meeting, on 15 September 1998, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 2nd, 25th to 28th and 35th meetings, on 16 September and on 11, 12 and 24 November 1998. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary records (A/C.6/53/SR.2, 25–28 and 35).

4. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996;[1]

(b) Report of the Secretary-General (A/53/314 and Corr.2 and Add.1);

(c) Letter dated 10 February 1998 from the Permanent Representative of Georgia to the United Nations addressed to the Secretary-General (A/53/66–S/1998/115);

(d) Letter dated 20 February 1998 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (A/53/71);

[1] *Official Records of the General Assembly, Fifty-third Session, Supplement No. 37* (A/53/37).

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(e) Letter dated 23 February 1998 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General (A/53/72–S/1998/156);

(f) Letter dated 8 April 1998 from the Permanent Representative of Qatar to the United Nations addressed to the Secretary-General (A/53/95–S/1998/311);

(g) Letters dated 4 and 27 May 1998 from the Permanent Representative of Pakistan to the United Nations addressed to the Secretary-General (A/53/117–S/1998/371 and A/53/131–S/1998/435);

(h) Letters dated 24 and 29 August, 2 September and 3 October 1998 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General (A/53/285, A/53/300, A/53/341 and A/C.6/53/7);

(i) Letter dated 10 September 1998 from the Permanent Representatives of the Russian Federation and the United States of America to the United Nations addressed to the Secretary-General (A/53/371–S/1998/848);

(j) Letter dated 9 October 1998 from the Permanent Representative of Panama to the United Nations addressed to the Secretary-General (A/53/489);

(k) Letters dated 20 and 30 October and 6 November 1998 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General (A/53/532–S/1998/984, A/53/560–S/1998/1019 and A/53/646–S/1998/1044);

(l) Letter dated 27 October from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General (A/53/552–S/1998/1010);

(m) Letter dated 29 October 1998 from the Permanent Representative of Portugal to the United Nations addressed to the Secretary-General (A/53/566);

(n) Letter dated 6 November 1998 from the Permanent Representatives of Georgia and Kazakhstan to the United Nations addressed to the Secretary-General (A/53/689);

(o) Letters dated 22, 23 and 24 September 1998 from the Permanent Representative of the Sudan to the United Nations addressed to the Secretary-General (A/C.6/53/2, A/C.6/53/3, A/C.6/53/4 and A/C.6/53/5);

(p) Letter dated 28 September 1998 from the Permanent Representatives of the Islamic Republic of Iran and the Russian Federation to the United Nations addressed to the Secretary-General (A/C.6/53/6);

(q) Letter dated 3 November 1998 from the Permanent Representative of France to the United Nations addressed to the Secretary-General (A/C.6/53/9).

5. Pursuant to paragraph 9 of General Assembly resolution 52/165, the Committee, at its 2nd meeting, on 16 September, established a Working Group to continue work on a draft international convention for the suppression of acts of nuclear terrorism, and elected as its Chairman Philippe Kirsch (Canada), Chairman of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996. The Working Group held 13 meetings, from 28 September to 9 October.

6. At the 25th meeting, on 11 November, the Chairman of the Working Group introduced the report of the Working Group, contained in document A/C.6/53/L.4 (see A/C.6/52/SR.25).

II. Consideration of draft resolution A/C.6/53/L.20/Rev.1

7. At the 35th meeting, on 24 November, the representative of *Argentina* and coordinator of the informal consultations on the draft resolution, introduced a draft resolution entitled "Measures to eliminate international terrorism" (A/C.6/53/L.20/Rev.1), and orally revised operative paragraph 15 by replacing the words "towards the elaboration of the draft international convention for the suppression of terrorist financing" by the words "in the implementation of its mandate".

8. At the same meeting, the Committee adopted draft resolution A/C.6/53/L.20/Rev. 1 as revised, without a vote (see para. 10).

9. After the adoption of the draft resolution, the representatives of Pakistan, the Syrian Arab Republic, Sweden and Iraq made statements in explanation of position (see A/C.6/53/SR.35).

III. Recommendation of the Sixth Committee

10. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

Measures to eliminate international terrorism

The General Assembly,

Guided by the purposes and principles of the Charter of the United Nations,

Recalling all its relevant resolutions, including resolution 49/60 of 9 December 1994, by which it adopted the Declaration on Measures to Eliminate International Terrorism, and resolutions 50/53 of 11 December 1995, 51/210 of 17 December 1996 and 52/165 of 15 December 1997,

Recalling also the Declaration on the Occasion of the Fiftieth Anniversary of the United Nations,[2]

Deeply disturbed by the persistence of terrorist acts, which have been carried out worldwide,

Stressing the need to strengthen further international cooperation between States and between international organizations and agencies, regional organizations and arrangements and the United Nations in order to prevent, combat and eliminate terrorism in all its forms and manifestations, wherever and by whomsoever committed,

Mindful of the need to enhance the role of the United Nations and the relevant specialized agencies in combating international terrorism, and of the proposals of the Secretary-General to enhance the role of the Organization in this respect,

Recalling that in the Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 49/60 the General Assembly encouraged States to review urgently the scope of the existing international legal provisions on the prevention, repression and elimination of terrorism in all its forms and manifestations, with the aim of ensuring that there was a comprehensive legal framework covering all aspects of the matter,

[2] See resolution 50/6.

Bearing in mind the possibility of considering in the near future the elaboration of a comprehensive convention on international terrorism,

Bearing in mind also that the Twelfth Conference of Heads of State or Government of Non-Aligned Countries, held at Durban, South Africa, on 2 and 3 September 1998,[3] reaffirmed its collective position on terrorism and as a recent initiative called for an international summit conference under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations,

Recognizing the urgent need to enhance international cooperation to prevent terrorist financing and to develop an appropriate legal instrument,

Having examined the report of the Secretary-General,[4]

1. *Strongly condemns* all acts, methods and practices of terrorism as criminal and unjustifiable, wherever and by whomsoever committed;

2. *Reiterates* that criminal acts intended or calculated to provoke a state of terror in the general public, a group of persons or particular persons for political purposes are in any circumstances unjustifiable, whatever the considerations of a political, philosophical, ideological, racial, ethnic, religious or other nature that may be invoked to justify them;

3. *Reiterates its call* upon all States to adopt further measures in accordance with the relevant provisions of international law, including international standards of human rights, to prevent terrorism and to strengthen international cooperation in combating terrorism and, to that end, to consider in particular the implementation of the measures set out in paragraphs 3 (a) to (f) of its resolution 51/210;

4. *Also reiterates its call* upon all States, with the aim of enhancing the efficient implementation of relevant legal instruments, to intensify, as and where appropriate, the exchange of information on facts related to terrorism and, in so doing, to avoid the dissemination of inaccurate or unverified information;

5. *Reiterates its call* upon States to refrain from financing, encouraging, providing training for or otherwise supporting terrorist activities;

6. *Reaffirms* that international cooperation as well as actions by States to combat terrorism should be conducted in conformity with the principles of the Charter of the United Nations, international law and relevant international conventions;

7. *Urges* all States that have not yet done so to consider, as a matter of priority, becoming parties to relevant conventions and protocols as referred to in paragraph 6 of resolution 51/210, as well as the International Convention for the Suppression of Terrorist Bombings,[5] and calls upon all States to enact, as appropriate, domestic legislation necessary to implement the provisions of those conventions and protocols, to ensure that the jurisdiction of their courts enables them to bring to trial the perpetrators of terrorist acts, and to cooperate with and provide support and assistance to other States and relevant international and regional organizations to that end;

8. *Reaffirms* the Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 49/60 and the Declaration to Supplement the 1994

[3] See A/53/667–S/1998/1071.

[4] A/53/314 and Corr.2 and Add.1.

[5] Resolution 52/164, annex.

Declaration on Measures to Eliminate International Terrorism contained in the annex to resolution 51/210, and calls upon all States to implement them;

9. *Takes note* of the measures aimed at strengthening the capacity of the Centre for International Crime Prevention of the United Nations Secretariat to enhance international cooperation and improve the response of Governments to terrorism in all its forms and manifestations;

10. *Decides* to address at its fifty-fourth session the question of convening a high-level conference in 2000 under the auspices of the United Nations to formulate a joint organized response of the international community to terrorism in all its forms and manifestations;

11. *Decides also* that the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996 will continue to elaborate a draft international convention for the suppression of acts of nuclear terrorism with a view to completing the instrument and will elaborate the draft of an international convention for the suppression of terrorist financing to supplement related existing international instruments, and subsequently will address means of further developing a comprehensive legal framework of conventions dealing with international terrorism, including considering, on a priority basis, the elaboration of a comprehensive convention on international terrorism;

12. *Decides further* that the Ad Hoc Committee shall meet from 15 to 26 March 1999, devoting appropriate time to the consideration of the outstanding issues relating to the elaboration of a draft international convention for the suppression of acts of nuclear terrorism and that it shall initiate the elaboration of the text of a draft international convention for the suppression of terrorist financing, and recommends that the work continue during the fifty-fourth session of the General Assembly from 27 September to 8 October 1999 within the framework of a working group of the Sixth Committee and that the Ad Hoc Committee be convened in 2000 to continue its work as referred to in paragraph 11 above;

13. *Requests* the Secretary-General to continue to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

14. *Requests* the Ad Hoc Committee to report to the General Assembly at its fifty-third session in the event of the completion of the draft convention for the suppression of acts of nuclear terrorism;

15. *Also requests* the Ad Hoc Committee to report to the General Assembly at its fifty-fourth session on progress made in the implementation of its mandate;

16. *Decides* to include in the provisional agenda of its fifty-fourth session the item entitled "Measures to eliminate international terrorism".